United Nations A/C.6/60/SR.6

General Assembly
Sixtieth session

Official Records

Distr.: General
26 October 2005

Original: English

Sixth Committee

Summary record of the 6th meeting
Held at Headquarters, New York, on Monday, 10 October 2005, at 3 p.m.

Chairman: Mr. Hmoud (Vice-Chairman) ..... (Jordan)

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In the absence of Mr. Yáñez-Barnuevo (Spain), Mr. Hmoud (Jordan), Vice-Chairman, took the Chair.

The meeting was called to order at 3.05 p.m.

Agenda item 108: Measures to eliminate international terrorism (*continued*) (A/59/894, A/60/37, A/60/164 and A/60/228; A/C.6/60/2 and 3)

1. **Mr. Traoré** (Mali) said that recent events demonstrated the urgency of reaching a world consensus in the fight against terrorism. His Government was in favour of the coherent global strategy advocated by the Secretary-General. It had ratified all the existing subregional, regional and international instruments relating to terrorism and was taking steps to meet its international obligations under them.

2. The battle against terrorism could not be dissociated from the latter's underlying causes. Any definition of international terrorism must therefore clearly distinguish between that scourge and the legitimate struggle of peoples for independence. The international community must also take account of the greater vulnerability of certain States to terrorist acts and help them to reinforce their national and regional anti-terrorist capacity. In that context, he welcomed the Pan-Sahel Initiative. Within the constraints of its resources, his Government was committed to shouldering its responsibilities and to supporting all strategies for contending with the worldwide challenge of terrorism.

3. **Mr. Kidane** (Ethiopia) said that his Government unequivocally rejected terrorism in all its forms and manifestations and applauded the endeavours of the United Nations to lead the fight against it. The authorities of his country lent their full support to the implementation of the numerous conventions and protocols adopted by the Organization on the subject and of Security Council resolution 1373 (2001). They likewise welcomed the Secretary-General's counter-terrorism strategy.

4. The plight of many African countries had contributed significantly to the genesis and spread of terrorist activities. It was therefore high time that the international community helped to end some of the continent's protracted conflicts and to prevent the scenarios which led to failed States. While it was necessary to promote national counter-terrorism strategies and capacity-building, the strengthening of regional and subregional organizations was equally vital and donors should therefore be encouraged to devote more resources to regional counter-terrorism initiatives. Hence he welcomed the assistance already being extended to the African Union and African subregional organizations.

5. The adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism had been a major breakthrough and it was to be hoped that that success would act as a spur to the conclusion of a comprehensive convention on international terrorism at the current session, since the finalization of the convention would not only remedy legal lacunae, but also heal conceptual and ideological schisms. The Committee ought to display greater flexibility and the political will required in order to complete the convention, because its adoption would provide a strong impetus to counter-terrorism efforts at the national and international levels.

6. **Mr. O'Brien** (United States of America) said that, sadly, every year, acts of international terrorism devastated lives and property. Fulfilling the Committee's mandate to develop a strategy to promote a comprehensive, coordinated response to, and to conclude a comprehensive convention on, international terrorism was both a challenge and an obligation, since the global nature of the threat of terrorism called for a worldwide response. That strategy must have the clear objectives of removing terrorist leadership and eliminating safe havens. The elements of a comprehensive counter-terrorism strategy which the Secretary-General had outlined at the International Summit on Democracy, Terrorism and Security might form the foundation of a proactive prevention strategy.

7. It was necessary to weave a seamless global counter-terrorism web. The Secretary-General's report (A/60/228) provided a useful description of the many activities undertaken by Member States in order to achieve that goal, but those measures must be better coordinated between Member States and all parts of the Organization with a counter-terrorism mandate, including the specialized agencies, which must play a more prominent role.

8. Since substantial progress in the counter-terrorism efforts of the United Nations had been recorded during the previous year, the opportunity to complete the comprehensive convention on

international terrorism ought to be seized at the current session. To that end, his Government was prepared to accept the operative paragraphs set forth in the consolidated text and to discuss the inclusion of a preambular paragraph concerning protection of the principle of self-determination. Disagreement on how to deal with that issue must no longer delay the adoption of the convention. Recent terrorist attacks had not been designed to advance self-determination or national liberation, but had been criminal acts aimed at overthrowing the existing international system. No Government was safe from them. No cause or religion should be held hostage to such antisocial behaviour. As peoples seeking self-determination moved ever closer to achieving their aspirations, the latter should not be sullied by making them the central issue dominating the debate about terrorism. It was necessary to move forward and to leave behind stale rhetoric that only served the cause of terrorism by dividing the international community. His Government looked forward to helping to bring the Committee's work on the subject to a successful conclusion.

9. **Ms. Aghajanian** (Armenia) said that the terrorist attacks in the past year in the Russian Federation and the United Kingdom and more recently in Indonesia and Egypt demonstrated once again the need for concerted efforts by the international community, in which measures at the national level were complemented and supported by regional and international cooperation. To follow up on the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism, which Armenia had signed during the 2005 World Summit, it was imperative to conclude negotiations on a comprehensive convention on international terrorism during the sixtieth session of the General Assembly. Armenia resolutely condemned terrorism and had offered military and strategic assistance in combating it. It had signed and was implementing the international conventions relating to terrorism, including the European Convention on the Suppression of Terrorism, and was cooperating with the Security Council Committees established pursuant to resolution 1373 (2001) and 1540 (2004) and the Anti-Terrorist Centre of the Commonwealth of Independent States.

10. The main thrust of the efforts of the Armenian Government against terrorism was prevention, in particular by improving national legislation against arms smuggling, trafficking and money-laundering. In April 2005 it had passed a comprehensive law on combating terrorism and a new criminal code containing several articles dealing directly with terrorism.

11. It must be borne in mind that there was nothing inherent in any religion or civilization that generated terrorism. Terrorism could never be justified, but the multiplicity of its root causes must be addressed and policies that victimized vulnerable populations must be changed in order for counter-terrorism efforts to have a greater chance for success. Efforts in the fields of economic development and poverty eradication and promotion and respect for human rights, international law and sustainable development would make the world a safer place.

12. **Mr. Al-Mahsali** (Oman) said that terrorism had become a multidimensional problem to which the whole of the international community was exposed. It was therefore necessary for all States to do their utmost to combat a phenomenon which was undermining peace and stability all over the world.

13. Since his Government firmly condemned terrorism in all its forms and manifestations and was striving to combat the imminent threat it posed, it was committed to strengthening international cooperation through the implementation of Security Council resolution 1373 (2001) and other relevant international resolutions. It had acceded to 10 of the 12 international instruments relating to terrorism and had also become a party to a number of regional agreements, including the Convention of the Organization of the Islamic Conference on Combating International Terrorism and the Arab Convention on the Suppression of Terrorism. A national commission prepared reports to the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism.

14. Moreover his country's authorities, mindful of the need to fight international organized crime because it helped to fund terrorism, had acceded to the United Nations Convention against Transnational Organized Crime and its Protocols. They had adopted a number of measures to curb the financing of terrorist acts through the effective monitoring of banking activities in order to identify any suspect transactions. The legislature had also passed an act on the prevention of money laundering, as the latter was clearly linked to serious terrorist crimes. National legislation had also been enacted in order to give effect to the 40

recommendations issued by the Financial Action Task Force. Terrorist acts were severely punished under the Omani Criminal Code. Once international counter-terrorism instruments had been ratified by his Government, they had the same authority as national laws.

15. The lack of a specific definition of terrorism and the insufficient heed paid to the motives prompting the action of terrorist groups were seriously handicapping efforts to deal with the scourge. Furthermore, the linking of terrorism with a particular religion, race or ethnic group could only cause rancour and engender a cultural clash. Hence it was vital to conduct a more thorough impartial analysis of the underlying causes of terrorism, so as to rectify action which had led to an upsurge of violence. It was also necessary to draw a distinction between terrorism and legitimate resistance to occupation and oppression.

16. His Government therefore supported the proposal of the King of Saudi Arabia regarding the establishment of an international centre to combat terrorism. It reaffirmed its commitment to the implementation of all Security Council and General Assembly resolutions on the matter and to the adoption of all the requisite measures to quell terrorist activity, subject, however, to the observance of the rules of international law and the principle of national sovereignty.

17. **Mr. Tidjani** (Cameroon) said that the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism had reaffirmed the central role played by the United Nations in the codification and progressive development of international law and the struggle against terrorism. Yet gaps in the overall legal framework would subsist until such time as a general convention permitting effective action against the inexcusable scourge of terrorism was adopted.

18. Differences of opinion within the Committee enabled terrorists to attack the fundamental values underpinning the Organization. The only way to counter their barbarous acts was the concerted suppression of terrorism through measures which respected human rights and international humanitarian law. His Government was therefore in favour of the strategy outlined by the Secretary-General at the International Summit on Democracy, Terrorism and Security. Repeated terrorist attacks showed how vulnerable the world had become and highlighted the need for cooperation not only among all Member States, but also between the United Nations and regional and subregional organizations. For that reason it would be advisable to convene a high-level conference to formulate a joint organized response of the international community.

19. A common strategy must, of necessity, include the building of national capacity to combat terrorism and the provision of technical assistance in that respect for countries which needed it. The threat which terrorism posed to international peace and security meant that helping developing countries was not an act of generosity but a means of buttressing joint security. Another purpose of the strategy must be to identify the causes of terrorism and find appropriate solutions to them. An end must be put to poverty, the violation of human rights and injustice. Exchanges of information and a permanent dialogue between Member States were likewise essential. That was why his Government reiterated its suggestion that the Chairman of the Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism should address the Sixth Committee whenever the latter considered the agenda item on measures to eliminate international terrorism.

20. The time had come to arrive at consensus on a clear and universally accepted definition of terrorism, for without it, all efforts to do battle with a common enemy would be in vain. Such a definition would make it possible to agree on the requisite legal characterization of terrorist acts and to determine the procedure for prosecuting and punishing them. If the Sixth Committee could meet that challenge, it would be the best present the Sixth Committee could offer the Organization for its 60th birthday.

21. **Ms. Barghouti** (Observer for Palestine) said that the upsurge of terrorism throughout the world posed a major challenge to the international community and should be urgently addressed at all levels and in all forums. In view of the urgency of the matter, the debate on a draft comprehensive convention on international terrorism should proceed in an expedited manner with a view to reaching a successful conclusion on the basis of a real consensus.

22. Palestine joined all peace-loving nations in condemning all forms of terrorism and attacks on civilians. However, that position should not undermine in any way the legitimate right of peoples under

foreign occupation to struggle for self-determination, as recognized by international law. Furthermore, situations of foreign occupation were governed by international humanitarian law. The draft comprehensive convention should not conflate such situations of armed conflict with others. All State and non-State actors should respect the 1949 Geneva Conventions, and there should be no exemption from those obligations under the pretext of combating terrorism. The fight against terrorism must be conducted in conformity with international human rights and humanitarian law and in a democratic spirit, with respect for fundamental freedoms. Moreover, there was nothing more detrimental to combating terrorism than a perception that it was religiously or politically motivated, or directed against a certain people, religion or region.

23. Her delegation believed that the Working Group of the Sixth Committee should take as the basis for negotiations the report of the Ad Hoc Committee established by General Assembly resolution 51/210 (A/57/37). The text that appeared in the report of the coordinator on the results of the informal consultations on a draft comprehensive convention on international terrorism held from 25 to 29 July 2005 (A/59/894, appendix I) was not a truly "consolidated text", as it did not reflect all the positions represented, notably the proposals put forward by the Organization of the Islamic Conference. It was imperative that the forthcoming negotiations of the Working Group should be conducted in a formal setting by the Chairman of the Ad Hoc Committee. Her delegation also supported the convening of a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism.

24. **Mr. Collums** (United States of America), speaking in exercise of the right of reply, said that in the course of the debate on the very serious issue of the United Nations response to terrorism, two delegations had directed specific criticisms against the United States concerning the case of Luis Posada Carriles, who was in the custody of the immigration authorities. His delegation was not surprised that the two delegations were mystified by the processes of an independent and impartial legal system based on the concepts of human rights, democracy and respect for the rule of law, principles that must continue to be respected even in the fight against terrorism. Luis Posada Carriles had been detained by the United States immigration authorities on 17 May 2005 after entering the country illegally. He remained in custody while his case was being considered. The decision rendered on 27 September 2005 did not end the proceedings. The delegations that criticized the decision were evidently frustrated that they could not dictate the outcome of immigration cases in the United States system, which were decided by immigration judges fairly and impartially applying United States immigration law. Since the Venezuelan representative had mentioned his country's request for extradition of Posada Carriles, he wished to state that the extradition request was currently under review by the United States authorities in accordance with the applicable bilateral extradition treaty and United States and international extradition law, including the rule that evidence must be sufficient to sustain an extradition request.

25. The Cuban delegation had made reference to a recent decision regarding the case of five Cuban nationals accused of conspiracy to commit espionage and other related charges, including conspiracy to commit murder. Those five individuals had been convicted of the charges in 2001 after trial in United States federal court, with all the due process guarantees inherent in an independent and impartial judicial system. On 9 August 2005 a three-judge panel of the United States Court of Appeals for the Eleventh Circuit had handed down a decision reversing the decision of the trial court, and the United States Department of Justice was asking for a hearing by the full Court of Appeals to reconsider that decision. The five defendants remained in custody while their case was being heard. Again, the delegation in question appeared to be frustrated that it could not dictate the outcome of the case. However, the entire proceedings were an example of how justice was administered in a system in which the judiciary was independent of the executive branch.

26. **Mr. Méndez** (Bolivarian Republic of Venezuela), speaking in the exercise of the right of reply, said that in the interests of brevity he would refer to the portion of the statement made by his delegation under the agenda item in the 5th meeting, which denounced the inconsistencies and double standards inherent in the counter-terrorism policy of the United States Government as manifested by its response to the request for extradition of Luis Posada Carriles. His delegation considered that the arguments put forward

by the United States representative did not advance international efforts to combat the scourge of terrorism.

27. **Mr. Pino Álvarez** (Cuba), speaking in the exercise of the right of reply, said that once again the Committee had heard slander and lies from the United States delegation, when its commitment to combating terrorism was questioned. It could not deny that the President of the United States was protecting the known international terrorist Luis Posada Carriles, instead of proceeding to extradite or prosecute him. It could not deny that for forty years the United States had been actively supporting mafia-like terrorist groups who had planned, organized and launched numerous terrorist operations from United States territory and caused the deaths of thousands of Cuban citizens. It could not deny that the United States continued to imprison, without a sentence, five Cuban freedom fighters. It dared to talk about respecting human rights in the fight against terrorism in the face of its treatment of prisoners at Guantánamo. The United States had no moral right to lecture Cuba about human rights or democracy or combating terrorism.

28. Terrorism could not be defeated if some terrorist acts were condemned while others were passed over, justified and even encouraged. The United States Government allowed funds to be collected and held openly in bank accounts, operatives to be recruited and weapons to be procured to launch terrorist attacks against the Cuban people, as if Security Council resolution 1373 (2001) did not apply. To allow admitted terrorists to circulate freely, while holding Cuban freedom fighters in prison, was an affront to all victims of terrorism the world over. The Government of the country that styled itself the leader in the fight against terrorism, in the name of which it had tortured and massacred and violated the rights of many prisoners in Iraq, Afghanistan and Guantánamo, had no moral authority to criticize Cuba, which had taken appropriate measures to combat international terrorism, as could be seen in its reports to the Security Council Committee established pursuant to resolution 1373 (2001).

29. Its forty-five-year obsession with destroying the Cuban revolution had led the Government of the United States of America down tortuous paths of deceit and failure. Its actions towards Cuba were in contradiction with its stated international policy and led it into lies and cheap rhetoric. The terrorist attacks and the genocidal financial and trade blockade against Cuba were instruments designed by the United States Government to destroy a system freely chosen by the Cuban people in an act of democracy and in the exercise of their right to self-determination. But the attacks of hardened terrorists, cruel blockades or military aggression could never cause the Cuban people to abandon the achievements of their revolution and their noble and altruistic social system. Cubans understood that freedom came at a high price and were willing to pay that price when necessary.

Agenda item 155: Observer status for the Latin American Integration Association in the General Assembly (*continued*) (A/C.6/60/L.3)

30. **The Chairman** drew attention to draft resolution A/C.6/60/L.3.

31. *Draft resolution A/C.6/60/L.3 was adopted.*

Agenda item 156: Observer status for the Common Fund for Commodities in the General Assembly (*continued*) (A/C.6/60/L.2)

32. **The Chairman** drew attention to draft resolution A/C.6/60/L.2 and announced that Angola, Botswana, Cameroon, Cape Verde, Costa Rica, Germany, Pakistan, the Republic of Korea and the Sudan had become sponsors of the draft resolution.

33. *Draft resolution A/C.6/60/L.2 was adopted.*

The meeting rose at 4.15 p.m.